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HTC CORPORATION and
HTC AMERICA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HTC CORPORATION and HTC AMERICA,
INC.,

Plaintiffs,

v.

TECHNOLOGY PROPERTIES LIMITED,
PATRIOTIC SCIENTIFIC CORPORATION
and ALLIACENSE LIMITED,

Defendants.

Case No. 5:08-CV-00882 JF

(Related to Case Nos. 5:08-cv-05398 JF
and 5:08-cv-00877 JF)

**DECLARATION OF KYLE D. CHEN
IN SUPPORT OF HTC'S MOTION
FOR SUMMARY JUDGMENT OF
NON-INFRINGEMENT OF U.S.
PATENT NOS. 5,440,749, 5,809,336
AND 6,598,148**

Date: [TBD]

Time: [TBD]

Place: Courtroom 3, 5th Floor

Judge: Hon. Jeremy Fogel

I, Kyle D. Chen, declare:

1. I am an attorney at the law firm of Cooley LLP, counsel in this action for Plaintiffs HTC Corporation and HTC America, Inc. (collectively "HTC"). I make this declaration in support of HTC's Motion for Summary Judgment of Non-Infringement. I have personal knowledge of the facts contained within this declaration, and if called as a witness, could testify competently to the matters contained herein.

2. Attached to this declaration as **Exhibit 1** is a true and correct copy of the Amendment in Response to Non Final Office Action in *Ex Parte* Reexamination Proceedings, dated January 19, 2010, from Control No. 90/009,034 merged with Control No. 90/009,389 merged with Control No. 90/010,520, a merged re-examination of U.S. Patent No. 5,440,749 to Charles H. Moore et al.

3. Attached to this declaration as **Exhibit 2** is a true and correct copy of the Amendment in Response to Final Office Action in *Ex Parte* Reexamination Proceedings with Information Disclosure Statement, dated November 29, 2010, from Control No. 90/009,034 merged with Control No. 90/009,389 merged with Control No. 90/010,520, a merged re-examination of U.S. Patent No. 5,440,749 to Charles H. Moore et al.

4. Attached to this declaration as **Exhibit 3** is a true and correct copy of TPL's claim chart in its Infringement Contentions for U.S. Patent No. 5,440,749 (the "'749 patent") against HTC Star Trek 3125 that is representative of the claim charts for the '749 patent against HTC Faraday 2125, Iris S640, PC Advantage X7501, Apache XV6700, S621, Shadow, Tilt TYTN II, Touch Dual, XV6600, Wing, Mogul XV6800, P4351, PDA i-mate, P3600, Dash, P3300, P3470, P4300, PDA2K, S710, TYTN, Wizard, S720, SPV C500/SMT 5600, Tornado, Touch Cruise P3650, Touch Phone Diamond and Touch Phone Touch ("accused '749 products") with respect to the limitation of "supply the multiple sequential instructions to said central processing unit integrated circuit during a single memory cycle."

5. Attached to this declaration as **Exhibit 4** is a true and correct copy of TPL's claim chart in its Infringement Contentions for U.S. Patent No. 5,809,336 (the "'336 patent") against HTC Wing that is representative of the claim charts for the '336 patent against HTC Dash, P4000, P4300, P4351, S621, S630, S640, S710, S720, S730, Shadow, Star Trek 3125, Tornado, Touch Phone Diamond, Touch Phone Fuze, Touch Phone P3650, Typhoon, Wizard, and Titan XV6800 with respect to the following limitations:

Patent	Claim Term
'336	An entire ring oscillator variable speed system clock in said single integrated circuit

